

Present: Chairman Sherrill Cline, Lynne Remington, Eric Poch, Bobby Beagan  
Diana Warren, Thomas Friedlander, Scott Smigler, Nancy Kilcoyne and  
Director of Planning and Community Development Meagen Donoghue

Absent: Pat Brown

At 7:40 p.m., Chairman Cline called the meeting to order.

**Public Hearing: Community Preservation Act – FY19 Project Submissions –  
Part 1**

At 7:40 p.m., Chairman Cline opened the Public Hearing to hear five presentations for the project submissions received for requests for FY19 Community Preservation Act (CPA) funding. Chairman Cline explained the CPC will hold two Public Hearings this year and the Committee will hear the remaining presentations on December 20, 2017. She stated tonight's Hearing was duly noticed, and it allows the community to hear about projects from the applicants. Chairman Cline also welcomed new CPC member, representing the Planning Board, Nancy Kilcoyne, to the Meeting.

PROJECT SUBMISSION FORM – COOLIDGE AT SUDBURY PHASE 2 - Submitted by Town Manager Melissa Murphy-Rodrigues on behalf of the Board of Selectmen, requesting \$150,000 to fulfill a State required local contribution to the Phase 2 project at The Coolidge.

The Committee was previously in receipt of copies of an email from Town Manager Rodrigues dated November 29, 2017.

Chairman Cline announced this project request has been withdrawn.

**PROJECT SUBMISSION FORM – REGIONAL HOUSING SERVICES OFFICE  
(RHSO) – FY19 MEMBERSHIP FEE**

Present: Town Manager Rodrigues to participate remotely by telephone at 8:45 p.m.

Chairman Cline stated this project would be discussed later tonight at approximately 8:30 p.m., when Town Manager Rodrigues will call in remotely to present the project to the Board.

**Administrative Funds – Budget Discussion**

At 7:41 p.m., Chairman Cline took this agenda item out of order, and she opened a discussion regarding the Administrative Funds Budget. Copies of a spreadsheet entitled, "Proposed CPC FY19 Administrative Budget" were distributed tonight.

Chairman Cline stated the proposal was for level funding for FY19 equal to FY18 funds. She also stated Selectman Pat Brown sent an email suggesting for the funds allocated for "Project Feasibility" to be increased from the proposed \$35,000. Chairman Cline stated she believes this is a good suggestion. She explained the FY18 Administrative Budget has only \$4,800 left until the end of the fiscal year in June 2018. Chairman Cline suggested increasing the "Project Feasibility" FY19 budget from \$35,000 to \$55,000.

It was noted the Committee recently approved an Administrative Funds request for \$25,000 for two appraisals.

Ms. Remington recommended increasing the "Project Feasibility" FY19 budget from \$35,000 to \$60,000.

Ms. Warren asked what happens to allocated Administrative Funds if they are not used. Chairman Cline stated they remain available in the CPA account. If this is the case, Ms. Warren stated she would be more comfortable supporting a \$25,000 increase rather than just \$20,000.

Mr. Smigler asked if the Committee has been provided with an updated CPA budget, which incorporates the updated State CPA match information. Chairman Cline stated Mr. Keohane did provide an update using 18% for the State match and an estimated total revenue figure of \$2,125,000. Several Committee members stated they did not previously receive this information.

On motion duly made and seconded, it was unanimously:

VOTED: To approve an increase to the "Project Feasibility" line item of the Community Preservation Committee FY19 Administrative Funds Budget from \$35,000 to \$60,000, for a revised FY19 Administrative Funds Budget total of \$82,500.

PROJECT SUBMISSION FORM – HOUSING ALLOCATION TO THE SUDBURY HOUSING TRUST

Present: Regional Housing Services Office Specialist Elizabeth Rust

This proposal was submitted by the Sudbury Housing Trust (SHT), requesting approximately \$200,000, which is the mandated 10% housing allocation to the SHT to continue programs, particularly the Home Preservation Program.

At 7:48 p.m., Chairman Cline welcomed Regional Housing Services Office Specialist Elizabeth Rust to the Meeting and she opened the Public Hearing regarding the Sudbury Housing Trust's (SHT) request for approximately \$200,000, which is the mandated 10% housing allocation.

Ms. Rust stated this proposal is for the annual funding request for the mandated 10% housing allocation to the SHT to continue its programs. This year, she explained the SHT plans to use the allocation for its Home Preservation Program and to help provide the \$250,000 local contribution needed for The Coolidge Phase 2 development. Ms. Rust stated the Coolidge Phase 2 project is important for the Town, noting it will provide 56 additional affordable housing units, which will help Sudbury maintain its mandated 10% affordable housing quota until 2020. She explained the Coolidge development will be applying for State funds in the winter of 2018 and it may receive funds from the West Metro Consortium. Ms. Rust stated that having the SHT provide assistance for the local contribution seemed to be the most flexible option for timely funding of the Phase 2 project.

Given that the SHT has offered to help fund the Coolidge Phase 2 local contribution, Chairman Cline stated this is the reason for the CPA funding request originally submitted by the Town being withdrawn earlier tonight.

Mr. Smigler asked about when other funds for the Coolidge will be decided and how the local contribution amount was determined. Ms. Rust stated it is possible something would be better known in February to April 2018, but the amounts which might be received are uncertain. She further explained the local contribution amount of \$250,000 was determined so as to be competitive for State funding. Ms. Rust clarified the entire \$250,000 has been requested, but only \$100,000 has been committed by the SHT.

Selectman and member of the SHT Susan Iuliano stated she would be available to answer any questions, if needed.

Mr. Smigler asked if the SHT 10% yearly allocation is typically requested for specific purposes. Ms. Rust stated the funds are typically used for the Home Preservation Program. Selectman Iuliano stated the SHT has also discussed other future funding options.

There were no further questions or comments from the Committee or the public at this time.

#### PROJECT SUBMISSION FORM – SMILE PLAYGROUND SURFACE IMPROVEMENTS

At 8:00 p.m., Chairman Cline opened the Public Hearing regarding the proposal submitted by Department of Public Works (DPW) Director Daniel Nason, requesting \$250,000 to remove the existing surface and replace it with a poured-in-place surface.

The Board was previously in receipt of an email from Mr. Nason dated November 21, 2017, responding to previous questions from the Committee.

Mr. Beagan stated the project is for the SMILE Playground located at Haskell Field, which is the most used playground in Sudbury. He explained a small portion of the playground's surface, under the swings, was repaired in recent years with a pour-in-place surface. However, Mr. Beagan stated other parts of the playground's surface have deteriorated and they are not accessible for all abilities. He also stated the current wood chips used on the surface require a lot of maintenance. Thus, Mr. Beagan stated the proposal is to replace all areas to the pour-in-place surface for an estimated cost of \$250,000. He explained the cost was increased to \$250,000 because the one quote received did not include removal of the current surface materials or prevailing wages. Mr. Beagan stated DPW Director Dan Nason is more comfortable with the \$250,000 cost estimate, given only one estimate was received.

Chairman Cline asked when the playground surface under the swings was first poured. Mr. Beagan estimated it was possibly in 2008 or 2009. Chairman Cline noted it did not last for the 10-12 year life expectancy. Mr. Beagan stated the estimated 10-year life expectancy did not account for tree roots growing through the surface in some areas.

Chairman Cline asked about the shade cover referenced in the project submission form which is estimated to cost \$4,000 and that the quote received is for \$208,000. It was noted the balance of \$38,000 is intended for removal costs and to cover the variance for prevailing wages.

Mr. Friedlander asked how the original playground costs were funded. Mr. Beagan stated the project predates his involvement, but, he assumes a lot of the funding was provided through SMILE. Mr. Friedlander asked if SMILE plans to raise funds for this project. Mr. Beagan stated there may be some maintenance funds from SMILE which have not yet been spent, but, he would need to check on this.

Ms. Remington asked why there is no mention of any fundraising efforts. Mr. Beagan stated he believes the Town is trying to address what it views as a safety issue. However, he further stated the Park and Recreation Commission was unaware of this project being presented and the Commission has not yet voted its position on it.

Mr. Friedlander asked if anyone from SMILE was in attendance for tonight's Hearing, and the answer was that no one from SMILE was present tonight.

Mr. Friedlander asked if the Park and Recreation Commission will take a position on the project, and Mr. Beagan stated it would.

Ms. Remington clarified that this proposal is requesting an additional \$250,000 for playground rehabilitation and maintenance above the Schools' playground funding request for over \$1 million to be discussed later tonight.

In response to a question from Ms. Warren, Mr. Beagan stated he believes all of the current wood chips would be replaced so that the entire surface would be the pour-in-place material.

Mr. Friedlander noted the project does not have voted support yet from Park and Recreation or SMILE, and he further noted the proposal was submitted by DPW. Mr. Beagan stated he believes the Town Manager asked the DPW Director to submit the proposal because DPW oversees the maintenance of playgrounds.

Mr. Beagan stated Park and Recreation typically supports any proposal which makes playgrounds safer. However, Mr. Friedlander highlighted Park and Recreation has no budget with which to financially support such projects.

Ms. Remington asked if fundraising could be encouraged. Mr. Beagan stated he believes the Town is presenting the proposal as a maintenance project.

Chairman Cline noted rehabilitation of a recreational project is CPA-eligible for funding.

Mr. Smigler asked if the playground structures are ADA-compliant. Mr. Beagan stated he believes so.

Ms. Remington asked when the actual project cost amount would be known. Mr. Beagan stated Mr. Nason was not comfortable presenting a cost estimate based on only one quote, which is why the request was increased.

There were no further questions or comments from the Committee or the public at this time.

PROJECT SUBMISSION FORM – PLAYGROUND MODERNIZATION FOR  
SUDBURY PUBLIC SCHOOLS (SPS)

Present: Sudbury Public Schools' Early Childhood Administrator Stephanie Juriansz, Sudbury resident Jean Nam and Sudbury Public Schools' Committee member Maggie Helon

At 8:15 p.m., Chairman Cline opened the Public Hearing regarding the project submitted by Combined Facilities Director Jim Kelly for Sudbury Public Schools (SPS), requesting \$1,070,482 for a multi-year project to bring the SPS playgrounds into compliance with federal and state regulations, and she welcomed Sudbury Public Schools' Early Childhood Administrator Stephanie Juriansz, Sudbury resident Jean Nam and Sudbury Public Schools' Committee member Maggie Helon to the Meeting.

Ms. Juriansz stated this project was previously presented to the Committee for the October 2017 Special Town Meeting (STM), and she opined that the CPC supported the merit of the project at that time, but, timing seemed to be an issue. She further stated

\$275,000 of Free Cash was appropriated at the October STM to begin work at the Haynes School Playground for the summer of FY18. Ms. Juriansz stated there is a need to address the aging equipment and the lack of accessibility at the Town's four elementary school playgrounds. She stated she believes this project is a recreational need for the Town, and she acknowledged that the proponents are aware that the project is competing with many other worthy Town projects for limited funds.

Through the use of a Power Point slide presentation, Ms. Juriansz stated the playground structures have in many cases exceeded their expected lifespan of ten to fifteen years. Although the structures have been maintained for safety, she explained they are not ADA-compliant (as of March 2011). Ms. Juriansz stated the Haynes playground work is underway with the \$275,000 received at the October 2017 STM, and the remaining three School playgrounds are proposed to be done in the summers of 2019 and 2020 for a total estimated cost of \$1,070,482. She displayed a chart which noted the cost estimates to complete the work needed at the Noyes, Nixon and Loring Playgrounds. Ms. Juriansz stated there are hopes to mitigate costs with grants from corporate partners and other funding resources, which are being pursued. She highlighted the mission behind this project is the belief that every child should have equal access to playgrounds. Ms. Juriansz emphasized they hope the project can be a Town-wide effort.

Chairman Cline stated the previous presentation to the Committee estimated the costs for the three School playgrounds other than Haynes to be approximately \$665,000. She also noted there are no other funding sources listed in the project submission, and she asked why not. Ms. Juriansz stated the proponents wanted to reflect the remaining funding ask for the project. She emphasized they will be applying for grant opportunities.

Sudbury resident Jean Nam stated they had received feedback in October 2017 that the project estimates included fundraising and some people were uncomfortable with this. Thus, Ms. Nam stated the proponents decided to reflect the full estimate regarding costs. She stated the proponents are committed to fundraising, noting her group *Play Sudbury* can also apply for non-profit organization grants.

Mr. Friedlander asked if Sudbury Public Schools (SPS) and its School Committee are behind the project. Ms. Juriansz stated SPS Administration and the School Committee have been very involved with project discussions. Mr. Friedlander asked if the Superintendent has taken a position on the project. Ms. Juriansz stated the Superintendent has supported the project and the School Committee has voted for it.

Ms. Warren asked what the funding source was originally for the school playgrounds. Ms. Juriansz stated she was not sure. She also noted there have been a lot of generous PTO groups through the years.

Ms. Warren requested more information regarding the history of the funding sources for the School playgrounds.

Mr. Friedlander asked if there is a private foundation in Sudbury who works with educational enrichment programs and whether the proponents have reached out to them to offer a position of support. It was noted the proponents have applied to The Sudbury Foundation.

Ms. Juriansz stated they know this is a “big ask” for the Town, but, the issues need to be addressed.

Ms. Remington stated the project request is for a total of \$1.3 million. She asked why the proponents are not going to Town Meeting to ask for a capital expenditure. Ms. Juriansz stated they believe the project is CPA-eligible and they would be grateful for whatever support the CPC deemed possible.

Mr. Friedlander stated the proposal states the Selectmen, the Capital Improvement Advisory Committee (CIAC) and the Park and Recreation Commission supports this request, and he asked if they have all voted positions on it. Ms. Nam clarified the groups listed supported the October 2017 request for \$275,000. It was also noted the CIAC supports a multi-year project.

Chairman Cline asked if the plan is to do one School playground every summer, and if so, why not request only that much money each year.

SPS School Committee member Maggie Helon stated the School and Town Facilities’ Departments have prioritized the playgrounds regarding the work to be done. Ms. Helon stated they are proceeding with the Haynes project according to strict timelines in order to use that playground as a model for the other three. Ms. Helon stated they would like the funds available for the other three playgrounds by the Fall of 2019. She also noted there has been discussion about doing the demolition first to save money. Ms. Helon also stated it is hoped by grouping three school projects together negotiations with vendors could be more cost effective.

Chairman Cline asked if the \$275,000 for Haynes was a realistic figure. Ms. Nam stated they have since learned it was not realistic, and she explained there have been tree removal costs which were not anticipated. Ms. Nam stated they are sticking to the original \$275,000 budget as much as possible, realizing extra items will need to be funded in other ways.

For the record, Mr. Beagan emphasized the Park and Recreation Commission has only voted to support the October 2017 STM request for \$275,000 and not tonight’s requested project amount.

Ms. Warren asked if the proponents looked at the funding processes used for other field projects like the High School field. Ms. Nam stated she believes the High School Field requested CPA funds, and Chairman Cline and Mr. Beagan confirmed this to be the case.

There were no further questions or comments from the Committee or the public at this time.

PROJECT SUBMISSION FORM – REGIONAL HOUSING SERVICES OFFICE  
(RHSO) – FY19 MEMBERSHIP FEE

Present: Town Manager Rodrigues participated remotely by telephone at 8:45 p.m.

At 8:45 p. m., Chairman Cline welcomed Town Manager Rodrigues to the Meeting to participate remotely by telephone, and she opened the Public Hearing regarding the project submitted by the Town Manager, requesting \$30,000 for the Town's portion of the FY19 Regional Housing Services Office (RHSO) membership fee.

Through a Power Point slide presentation, Town Manager Rodrigues stated a request has been made for \$30,000 to fund a portion of the Town's Regional Housing Services Office (RHSO) membership fee. She explained this had been funded in the past from the CPA Administrative Funds, but, last year, the process of funding it through this application process was begun. Ms. Rodrigues stated the funds would be used for the acquisition, creation, preservation and support of community housing. She briefly described the RHSO as having started in Sudbury in 2011 to regionalize affordable housing services for an annual fee and through an inter-municipal agreement. Town Manager Rodrigues stated there are seven communities now which are part of the RHSO, and the administration is handled by Concord. She displayed a slide of the breakdown for Sudbury's RHSO funding, noting \$30,000 would be funded with this CPA request for the Town's services, and \$29,350 would be funded by the Sudbury Housing Trust for services provided to the Trust. Town Manager Rodrigues briefly summarized some of the services provided to the Town by the RHSO, including affordable-housing inventory monitoring, general support and annual assessment valuations. Ms. Rodrigues noted the Town can accomplish a lot through the RHSO with limited funding resources, and there are not funds available in the operating budget to cover this cost.

Mr. Friedlander stated this request is not part of the 10% housing allocation given to the Sudbury Housing Trust (SHT), and he asked if it could be. Chairman Cline stated the RHSO request is separate from the SHT request. Ms. Remington stated the change for the funding mechanism last year was intended to make the expenditure more transparent. She stated she would view combining this request with the SHT 10% allocation as taking a step backwards. Chairman Cline concurred, noting combining the requests could potentially reduce the amount of funds received by the SHT.

Later in the Meeting, Mr. Poch asked for clarification regarding services provided by the RHSO regarding incentive senior developments (ISD) support, which Ms. Donoghue provided.

There were no further questions or comments from the Committee or the public at this time.

**CPA-Approved Projects – Requesting Annual Reports – Discussion**

Present: Town Manager Rodrigues participated remotely by telephone at 8:45 p.m.

At 8:55 p.m., Chairman Cline opened a discussion regarding requesting annual reports from CPA-approved projects. The Board was previously in receipt of copies of a revised draft 4 “CPC Reporting Requirement Policy” and accompanying form dated December 6, 2017.

Chairman Cline stated she prepared a revised Draft 4 based on previous input from the Committee, which she also circulated to the Town Manager for review. She briefly summarized the revisions made, including clarifying who the recipients and project proponents are and that the reports should be collected from the recipients each year by the Director of Planning and Community Development.

Town Manager Rodrigues stated the collection of reports is important because the Town needs to be sure CPA funds are spent as was voted by Town Meeting. It was noted it might be difficult to collect reports from outside agencies and that a type of “exit” interview might be needed. Mr. Smigler asked for clarification regarding whose duty it is to be sure funds are used as they were voted. Town Manager Rodrigues responded this is the Town’s responsibility.

Mr. Smigler stated there seem to be a number of older CPA-approved projects with fund balances remaining, and he asked if the Town actively reviews the status of projects. Chairman Cline stated she has received updated information regarding historic projects, and efforts are being made to update the list of funds remaining for previously approved CPA projects. She also stated it is anticipated that a reversion article will be able to be submitted for presentation at the May 2018 Town Meeting.

Ms. Warren stated projects are presented with various scenarios. She believes the Town needs to identify who the project manager is early in the process and know who will be responsible for submitting the report information.

Chairman Cline stated the Annual Reporting Form could be amended to add a line asking who the project manager is and who completed the report. She also suggested adding the following language to the Policy: “If the recipient of the CPC funds is a private party, the Director of Planning and Community Development, or designee, shall interview the

recipient to confirm the funds were received and spent according to the Town Meeting warrant article and complete the form on the recipient's behalf."

Ms. Warren asked if there is legal recourse available for the Town regarding CPA funds given to a private property owner. Town Manager Rodrigues stated she would ask Town Counsel.

Mr. Smigler referenced the "Town of Sudbury – Community Preservation Act Projects FY18 Expense Tracking (Thru 10/12/17) spreadsheet distributed tonight. It was noted the information presented is from the Planning Office and Accounting Office. He requested for the Committee to receive an updated spreadsheet. Chairman Cline stated she would request this information, noting the Finance Department has another report which may also be helpful to the Committee.

Mr. Smigler suggested adding to the Annual Reporting Form a space to collect information regarding how much has been spent on the project by year. Chairman Cline stated the intent of the form is to determine if the project has been completed, and, if not, how much money has not yet been spent. She further stated the objective is not to make the reporting process onerous for recipients/project managers.

In response to comments from Mr. Smigler regarding the tracking spreadsheet, Chairman Cline stated there do appear to be some inconsistencies with how the information is presented. She further stated reversion articles were presented and approved at the 2010 and 2014 Town Meetings. It was noted the 2010 and 2014 Town Meeting Warrants are available on the Town website.

On motion duly made and seconded, it was

VOTED: To accept Draft 4 of the "CPC Reporting Requirement Policy" and accompanying "Annual Reporting Form," as amended tonight.

Mr. Poch and Mr. Smigler opposed the vote.

### **Fall Special Town Meeting – Accepting Applications Policy – Discussion**

At 9:20 p.m., Chairman Cline opened a discussion regarding whether the CPC would henceforth accept applications for the October Special Town Meeting. The Board was previously in receipt of copies of a revised draft 3 of the "Community Preservation Committee Policy concerning project applications for Special Town Meetings" dated December 6, 2017, revised by Ms. Remington based on previous input from the Committee.

Committee members briefly reviewed draft 3.

Mr. Friedlander made a motion was made to accept Draft 3 of the “Community Preservation Committee Policy concerning project applications for Special Town Meetings” dated December 6, 2017, but the motion was not seconded.

Mr. Poch asked what the definition is for what would be considered as an “important, sudden and time-critical request for funding.” Chairman Cline explained this language was added at the recommendation of Town Counsel to allow for some flexibility, while allowing the Committee to decide if a project is worthy to be considered at another time. Mr. Poch expressed his preference to not have funding requests only reviewed once a year for the May Town Meeting.

Mr. Smigler suggested specifying a Right of First Refusal (ROFR) request as a possible exception which the Committee would consider as required by the Town’s deadline to respond.

In response to a comment from Mr. Poch, Ms. Remington highlighted the Town now has two Town Meetings each year according to Town Bylaws.

Mr. Poch stated he is unsure of the purpose of creating this policy because he views it as limiting. Chairman Cline stated the purpose of accepting funding requests only once a year is to allow the Committee the opportunity to prioritize projects submitted for all CPA-eligible categories in relation to the CPA budget available. Historically, she further stated the Town has spent its CPA funds available at the May Town Meeting. Thus, at the following October Town Meeting there would only be CPA reserves and Administrative Funds available. Mr. Poch stated there would also be the capacity to bond spending, if approved, and he believes the CPA bonding capacity should be considered as available for spending.

Chairman Cline stated that, if projects are considered throughout the year, it would be impossible for the Committee to prioritize projects for the Town as a whole.

Ms. Warren stated the Committee is limited because of diminishing CPA funding. She asked if there is anything in the CPA statute which prohibits a project from being considered at a different time of year. Chairman Cline stated she does not believe there is anything in the statute. She also stated the Committee could consider any Chapter 61A (ROFR) request from the Board of Selectmen at any time, as needed.

Mr. Poch stated he is inclined to think applicants should be able to submit applications throughout the entire year. Chairman Cline stated she would prefer to review applications in comparison to each other once a year, when the Committee has its budget information because the Committee recommends to Town Meeting the projects it believes can be paid for with CPA funds.

Mr. Poch requested for the Committee to receive information reflecting the amount of CPA funds spent in the last five years in comparison to the CPA bonding capacity.

Chairman Cline emphasized the need to reserve funds for large projects which may be presented for consideration in the future.

Ms. Remington stated the projects need to be prioritized in comparison to each other.

Since there was not a second to Mr. Friedlander's motion, it was stated that this discussion would continue at a future meeting.

About two minutes later, Chairman Cline stated she would second Mr. Friedlander's motion.

On motion duly made and seconded, it was

VOTED: To accept Draft 3 of the "Community Preservation Committee Policy concerning project applications for Special Town Meetings" dated December 6, 2017. .

Mr. Poch opposed the vote and Mr. Smigler, Ms. Kilcoyne and Mr. Beagan abstained.

### **Minutes**

The Board was previously in receipt of copies of the Community Preservation Committee's November 15, 2017 Meeting Minutes.

Chairman Cline requested for the second sentence of the second paragraph on Page 10 under the heading "Fall Special Town Meeting – Accepting Applications – Discussion" be revised to read as follows: "She explained Town Counsel understood the reasoning for collecting applications once a year, i.e., to analyze and prioritize all the applications at one time, and she stated there is no prohibition to doing so."

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Community Preservation Committee's November 15, 2017 Meeting Minutes, as revised tonight by Chairman Cline.

### **CPC Future Meeting Schedule**

Chairman Cline reviewed the proposed CPC Meeting schedule as follows: December 20, 2017 – Public Hearing, January 3, 2018 – Deliberate and Vote on Applications, and January 17, 2018 – Finalize Warrant Articles

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 9:45 p.m.